

**REMARKS**

In the Office Action the Examiner noted that claims 1-4, 6-24, 26-30 and 32-34 are pending in the application, and the Examiner rejected all claims. By this Amendment, claim 15 has been cancelled without prejudice or disclaimer, and claims 1, 11, 20, and 21 have been amended. No new matter has been presented. Thus, claims 1-4, 6-14, 16-24, 26-30 and 32-34 remain pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

**Claim Rejections Under 35 USC §103**

In item 3 on pages 2-17 of the Office Action the Examiner rejected claims 1-4, 6-7, 9-17, 19-24, 26-27, 29-30, and 32-34 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,898,836, issued to Freivald et al. (hereinafter referred to as "Freivald") in view of U.S. Patent Application Publication No. 2003/0140309, issued to Saito et al. (hereinafter referred to as "Saito"). The Applicant respectfully traverses the Examiner's rejections of these claims.

Claim 1 of the present application, as amended, recites an information collecting apparatus with an information searching unit that, after an event detecting unit detects occurrence of an event, searches documents in a registered information collecting destination site periodically for a predetermined period of time by using keywords extracted by a keyword extracting unit. The Applicant respectfully submits that neither Freivald nor Saito, taken alone or together, discloses or suggests at least this feature of claim 1.

The Examiner alleged that Freivald as modified by Saito discloses such a feature as cited above. However, the Applicant respectfully submits that the alleged modification of Freivald merely discloses a periodic execution of retrieval, which is not a search of documents, after detection of an event, in a registered information collecting destination site periodically for a predetermined period of time by using keywords extracted by a keyword extracting unit, as is recited in claim 1. While the Examiner has alleged that a predetermined time period is tantamount to a weekly basis or "frequently", the Applicant respectfully submits that one skilled in the art would make no such comparison. Also, the Applicant respectfully notes to the Examiner that performing a search "for a predetermined period of time" is quite different from the frequency of a search, which the Examiner has apparently misconstrued as a period. As one example, a search for the recited predetermined period of time would allow the retrieval to be

carried out from the occurrence of the event (i.e., being detected in the event collecting destination site) and discontinued when the number of retrievals has decreased (i.e., at a point in time when the topic has ceased being "news"). In an operation such as described by the Examiner regarding the modified Freivald, the apparatus would continue to retrieve old information in addition to any possible recent information, and present the old information over and over due to the periodic searches. Also, one would have to wait the week, or whatever the periodic nature of the search, for any possible new information, because the search is not performed upon detecting the occurrence of an event, as recited in claim 1.

The Applicant respectfully notes that the preceding discussion is offered merely to aid in the Examiner's understanding of some of the differences between claim 1 and the cited references. The Applicant **does not** rely on any discussed advantage, embodiment, or any other aspect of this discussion as providing patentably distinguishable features. Rather, the Applicant **does** rely on the **recited feature** of "wherein said information searching unit, after said event detecting unit detects occurrence of an event, searches documents in said registered information collecting destination site periodically for a predetermined period of time by using the keywords extracted by said keyword extracting unit" of claim 1. The Applicant respectfully submits that this **actual notice** of this fact should make any contrary characterization of the Applicant's traversals by the Examiner improper.

Therefore, it is respectfully submitted that neither of the cited references, taken either alone or together, discloses or suggests the feature "wherein said information searching unit, after said event detecting unit detects occurrence of an event, searches documents in said registered information collecting destination site periodically for a predetermined period of time by using the keywords extracted by said keyword extracting unit". For a proper §103 rejection, the cited references should disclose all of the features of the rejected claim. Thus, the Applicant respectfully submits that claim 1 patentably distinguishes over the cited references.

Further, even assuming arguendo that Freivald and Saito did disclose the features discussed by the Examiner, the Applicants respectfully submit that there is no motivation to combine the cited references. The Examiner has once again merely offered the stated goals of Freivald (Column 3, Lines 49-61) as merits of the combination of the cited references. This does not provide any basis for a motivation for combination. The Examiner stated that Freivald is concerned with providing a user with an indication of how significant a change is, and goes on to allege, without any apparent support, that the keyword extracting of Saito would aid the process

of Freivald. However, because Saito merely extracts keywords and weighs them according to their frequency, performs no comparison which would indicate the change which is the concern in Freivald, and performs a search which apparently is not related to Freivald at all (although cited as being advantageous to Freivald by the Examiner), the Applicant respectfully submits that not only is there no motivation to combine these references, but they actually teach away from one another. There is apparently no basis whatsoever for the Examiner's allegation that Saito would give the user of Freivald an indication of the significance of a change and reduce the number of change notifications and storage requirements.

MPEP §2143.01 states that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so. Therefore, as there is no requisite motivation to combine the references cited by the Examiner, the Applicants respectfully request the withdrawal of the Examiner's §103 rejections.

While the Examiner has cited the KSR decision in support of the lack of motivation to combine the references, the Applicant respectfully submits that this is not a proper rebuttal to the actual points made in the traversal above regarding the incompatibility of the cited references.

Claims 2-4, 6-7, and 9-10 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 2-4, 6-7, and 9-10 also patentably distinguish over the cited references.

Further, claims 11 and 21, as amended, recite similar features to those discussed in regard to claim 1, and which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 11 and 21 also patentably distinguish over the cited references.

Claims 12-14, 16-17, and 19-20 depend from claim 11, and claims 22-24, 26-27, and 29-30 depend from claim 21. These dependent claims include all of the features of the respective independent claims upon which they depend, plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 12-14, 16-17, 19-20, 22-24, 26-27, and 29-30 also patentably distinguish over the cited references.

In item 4 on pages 17-20 of the Office Action the Examiner rejected claims 8, 18 and 28 under 35 U.S.C. §103(a) as being unpatentable over Freivald in view of Saito and further in view

of U.S. Patent Application Publication No. 2002/0078044, issued to Song et al. (hereinafter referred to as "Song"). The Applicant respectfully traverses the Examiner's rejections of these claims.

As previously discussed in this Amendment, claims 1, 11, and 21 patentably distinguish over Freivald and Saito. Further, as Song apparently merely discloses a system for automatically classifying documents by category using a genetic algorithm and a term cluster, Song does not cure the deficiencies of Freivald and Saito regarding claim 1, 11, and 21 of the present application. Therefore, as claims 8, 18, and 28 depend respectively from claims 1, 11, and 21, it is respectfully submitted that claims 8, 18, and 28 also patentably distinguish over the cited references.

#### Summary

In accordance with the foregoing, claim 15 has been cancelled without prejudice or disclaimer, and claims 1, 11, 20, and 21 have been amended. No new matter has been presented. Thus, claims 1-4, 6-14, 16-24, 26-30 and 32-34 remain pending in the application.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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